

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2010-223-T - ORDER NO. 2010-589

AUGUST 26, 2010

IN RE: Petition of the Office of Regulatory Staff for)	ORDER REVOKING
Commission to Order a Rule to Show Cause)	CERTIFICATES
as to Why the Certificates of Public)	
Convenience and Necessity of Certain Motor)	
Carriers Should Not Be Revoked for Failure)	
to Maintain and File Evidence of Insurance)	
)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) under the authority of S.C. Code Ann. §§ 58-23-10 *et seq.* and 58-4-10 *et seq.* on the Petition of the Office of Regulatory Staff (“ORS”) to revoke the Certificates of Public Convenience and Necessity of certain motor carriers for failure to maintain and file evidence of insurance. ORS’s Petition, containing a list of motor carriers who failed to maintain and file evidence of insurance, was submitted to the Commission on July 25, 2010.¹ A hearing was held on August 25, 2010.

At the hearing, ORS’s Records Custodian in its Transportation Department, Carole Chauvin, testified that certain carriers certificated by the Commission remained out of compliance for not having filed proof of insurance with the ORS as required by S.C. Code Ann. § 58-23-910 and S.C. Code Ann. Regs. 103-170 through 103-171. In support of Chauvin’s position, ORS offered a revised list of those carriers that remained

¹ Hearing Exhibit 1.

out of compliance at the time of the hearing.² She testified that ORS notified these carriers of their non-compliance by certified mail. However, none of the carriers appeared at the hearing.

The Commission finds that ORS's Petition against those carriers who were in compliance with insurance requirements at the time of the hearing should be dismissed. The Commission also finds that the Certificates of those carriers who remained out of compliance with the insurance requirements of S.C. Code Ann. § 58-23-910 and S.C. Code Ann. Regs. 103-170 through 103-171 at the time of the hearing, as indicated by the revised list submitted as evidence by ORS, should be revoked and cancelled under the authority of S.C. Code Ann. § 58-23-320.

IT IS THEREFORE ORDERED:

The Certificates of Public Convenience and Necessity held by those non-complying motor carriers in the revised list submitted by ORS at the hearing, which is attached to this Order, are revoked and cancelled. All operating rights of these carriers are null and void. Additionally, ORS's Petition against those carriers who are now in compliance is dismissed.

² Hearing Exhibit 3.

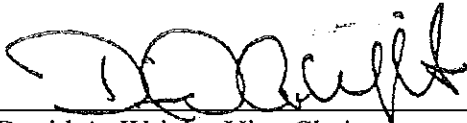
This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



John E. Howard, Chairman

ATTEST:



David A. Wright, Vice Chairman

(SEAL)

Order Attachment
Docket No. 2010-223-T
Order No. 2010-589
August 26, 2010

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